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LONG-TERM DISABILITY INSURANCE PLAN and  
7 Real Party in Interest STANDARD INSURANCE  
COMPANY  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 **PATRICIA BROYLES,**

13 **Plaintiff,**

14 **v.**

15 **A.U.L. CORPORATION LONG-TERM  
DISABILITY INSURANCE PLAN,**

16 **Defendant,**  
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19 **STANDARD INSURANCE COMPANY,**

20 **Real Party in Interest.**  
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No. C-07-5305-MMC

**CONFIDENTIAL DECLARATION OF  
GEORGE CHAN IN SUPPORT OF  
A.U.L. CORPORATION LONG-TERM  
DISABILITY INSURANCE PLAN'S  
MOTION TO REVIEW PLAINTIFF'S  
CLAIM FOR ERISA BENEFITS  
UNDER ABUSE OF DISCRETION  
STANDARD OF REVIEW  
[EXHIBITS FILED UNDER SEAL]**

Date: August 1, 2008

Time: 9:00 a.m.

Before the Honorable Maxine M. Chesney

1 I, GEORGE CHAN, hereby declare as follows:

2 1. I am a Senior Disability Benefits Analyst at Standard Insurance Company  
3 ("Standard"). I submit this declaration and attached exhibits in support of Defendant A.U.L.  
4 Corporation Long-Term Disability Plan's Motion To Review Plaintiff's Claim For ERISA  
5 Benefits Under Abuse Of Discretion Standard Of Review ("Motion"). Except as expressly stated  
6 herein, I have personal knowledge of the matters stated in this declaration and could and would  
7 testify competently to them.

8 2. In the regular course of my duties at Standard, I was assigned to administer the  
9 claim for Long Term Disability ("LTD") benefits made by Patricia Broyles.

10 3. For each claim for benefits pursuant to an insurance policy issued by Standard,  
11 Standard's analysts collect and generate an administrative record documenting the decision-  
12 making on the claim. These administrative records are generated and maintained in the ordinary  
13 course of Standard's business of administering claims for benefits. In the course of administering  
14 Ms. Broyles' claim, I became familiar with the administrative record that Standard generated and  
15 maintained, and have personally reviewed its contents, as well as applicable documents from the  
16 Group Long Term Disability Insurance Policy No. 638213-T ("Plan Policy").

17 4. Attached hereto as Exhibit 8 is a true and correct copy of a note written and signed  
18 by Shannon Teed dated December 28, 2005. This document is part of the administrative record  
19 generated and maintained by Standard in the ordinary course of business regarding the claim of  
20 Patricia Broyles.

21 5. Attached hereto as Exhibit 11 is a true and correct copy of a note written and  
22 signed by Shannon Teed, dated January 4, 2006. This document is part of the administrative  
23 record generated and maintained by Standard in the ordinary course of business regarding the  
24 claim of Patricia Broyles.

25 6. Attached hereto as Exhibit 12 are true and correct copies of (1) a note, written and  
26 signed by Joanna Burton dated January 17, 2006, (2) a letter dated February 1, 2006 from  
27 Shannon Teed to Patricia Broyles, (3) a note written and signed by Shannon Teed, dated February  
28 6, 2006, (4) a note written and signed by Shannon Teed, dated February 7, 2006, (5) a note

1 written and signed by Shannon Teed, dated February 9, 2006, and (6) an additional note, written  
2 and signed by Shannon Teed, also dated February 9, 2006. These documents are part of the  
3 administrative record generated and maintained by Standard in the ordinary course of business  
4 regarding the claim of Patricia Broyles.

5 7. Attached hereto as Exhibit 15 is a true and correct copy of a "Nurse Consultant  
6 Memo" completed and signed by Anne Jordan and dated February 21, 2006. This document is  
7 part of the administrative record generated and maintained by Standard in the ordinary course of  
8 business regarding the claim of Patricia Broyles.

9 8. I am informed and believe that Dr. Waldram is not an employee of Standard,  
10 rather, he works as a consultant on a periodic basis.

11 9. Attached hereto as Exhibit 17 is a true and correct copy of an "Attending  
12 Physician's Statement" signed by Glen B. Pfeffer, M.D., and dated December 7, 2005 and  
13 stamped as "received" on December 16, 2005. This document is part of the administrative record  
14 generated and maintained by Standard in the ordinary course of business regarding the claim of  
15 Patricia Broyles.

16 10. Attached hereto as Exhibit 18 is a true and correct copy of a letter dated March 28,  
17 2006 from Shannon Teed to Patricia Broyles. This document is part of the administrative record  
18 generated and maintained by Standard in the ordinary course of business regarding the claim of  
19 Patricia Broyles.

20 11. Attached hereto as Exhibit 20 is a true and correct copy of a note, written and  
21 signed by Emmi Gordon and dated June 28, 2006. This document is part of the administrative  
22 record generated and maintained by Standard in the ordinary course of business regarding the  
23 claim of Patricia Broyles.

24 12. Attached hereto as Exhibit 21 is a true and correct copy of a letter from Patricia  
25 Broyles to Standard dated July 25, 2006 and marked "received" July 28, 2006. This document is  
26 part of the administrative record generated and maintained by Standard in the ordinary course of  
27 business regarding the claim of Patricia Broyles.

28 13. Attached hereto as Exhibit 22 is a true and correct copy of a memorandum from

1 Jason Hewett to "The file of Patricia Broyles" dated July 31, 2006. This document is part of the  
2 administrative record generated and maintained by Standard in the ordinary course of business  
3 regarding the claim of Patricia Broyles.

4 14. Attached hereto as Exhibit 28 is a true and correct copy of a letter dated October  
5 11, 2006 from Michael W. Shifflett, M.D. to Standard, and marked "received" October 31, 2006.  
6 This document is part of the administrative record generated and maintained by Standard in the  
7 ordinary course of business regarding the claim of Patricia Broyles.

8 15. Attached hereto as Exhibit 29 is a true and correct copy of a letter dated November  
9 20, 2006 from Glenn B. Pfeffer, M.D. to Jason Hewett. This document is part of the  
10 administrative record generated and maintained by Standard in the ordinary course of business  
11 regarding the claim of Patricia Broyles.

12 16. Attached hereto as Exhibit 30 is a true and correct copy of a letter, entitled  
13 "Physical Therapy Discharge Summary" from Rob Brandon to Glenn Pfeffer, M.D., dated  
14 October 28, 2005 and marked "received" October 31, 2006. This document is part of the  
15 administrative record generated and maintained by Standard in the ordinary course of business  
16 regarding the claim of Patricia Broyles.

17 17. Attached hereto as Exhibit 31 is a true and correct copy of a "Physician Consultant  
18 Memo" signed by David Waldram, M.D., on December 19, 2006. This document is part of the  
19 administrative record generated and maintained by Standard in the ordinary course of business  
20 regarding the claim of Patricia Broyles.

21 18. Attached hereto as Exhibit 32 is a true and correct copy of a letter dated February  
22 7, 2007 that I sent to Patricia Broyles. This document is part of the administrative record  
23 generated and maintained by Standard in the ordinary course of business regarding the claim of  
24 Patricia Broyles.

25 19. Attached hereto as Exhibit 35 is a true and correct copy of a "Physician Consultant  
26 Memo" signed by Joseph Mandiberg, M.D. on March 1, 2007. This document is part of the  
27 administrative record generated and maintained by Standard in the ordinary course of business  
28 regarding the claim of Patricia Broyles.

1           20. Attached hereto as Exhibit 36 is a true and correct copy of a letter dated March 15,  
2 2007 from Mary E. Cea to Patricia Broyles. This document is part of the administrative record  
3 generated and maintained by Standard in the ordinary course of business regarding the claim of  
4 Patricia Broyles.

5           I declare under penalty of perjury under the laws of the United States of America that the  
6 foregoing Declaration is true and correct, and that this Declaration was executed on June 25, 2008  
7 in Portland, Oregon.  
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12           George Chan  
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